

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20576

A RESOLUTION OF INTENTION TO AUTHORIZE THE CITY MANAGER TO LEASE PROPERTY OWNED BY THE CITY OF HELENA TO CP INVESTMENTS, LLC, OR THEIR SUCCESSOR IN INTEREST, FOR NINETY-NINE YEARS WITH AN OPTION TO BUY

WHEREAS, Section 1-4-17 of the Helena City Code governs the long-term leasing of real property owned by the City;

WHEREAS, pursuant to § 7-8-4201 (2)(a), MCA, leasing of City-owned property must be made by ordinance or resolution, passed by a two-thirds vote of all members of the City Commission;

WHEREAS, the City of Helena owns real property ("City Property") generally located south of West 15th Street and east of Front Street, which is legally described as follows:

Lot 4A, being located in a portion of Lot 4 and Lot 8 of the Chessman and Davis Placer Mining Claim, as shown on the Certificate of Survey No. 3155028, which is attached hereto as Exhibit "A."

WHEREAS, the Property currently contains the 15th Street parking structure and is subject to restrictions and conditions contained in the "Lease-Purchase Agreement between U.S. Bank National Association and the City of Helena, dated February 1, 2009, as shown on Document No. 3161759 in the records of the Clerk and Recorder of Lewis and Clark County, Montana;

WHEREAS, CP Investments, LLC, owns Lots 13-16 in Block 517 of

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the Central Addition No. 2 adjacent to City Property and desires a long-term lease of a 3381 square foot portion of the City Property in order to use the City Property to accommodate the development of their property with mixed commercial-residential use; and

WHEREAS, it appears to be in the best interests of the City of Helena and the inhabitants thereof to lease the above-described City Property to CP Investments, LLC or its successor in interest.

NOW, THEREFORE, BE IT NOW RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. Pursuant to Section 1-4-17 of the Helena City Code, the public shall be given an opportunity to be heard whether the City should grant a ninety-nine year lease to CP Investments, LLC, or its successor in interest, for the use of the City Property described above.

Section 2. The Clerk of the Commission is hereby directed to publish notice of this Resolution of Intention twice as required by Section 1-4-17(A)(1) of the Helena City Code, and notices shall be mailed to all property owners of property located within three hundred feet (300') of the exterior boundaries of the above-

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described real property, as required by Section 1-4-17(A)(2) of the Helena City Code.

Section 3. A public hearing will be held on this matter on **October 21, 2019**, at 6:00 p.m. in the City Commission Chambers at 316 North Park Avenue, Helena, Montana so that all interested parties may appear and express their opinions of approval or disapproval.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 7th DAY OF OCTOBER 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CLERK OF THE COMMISSION